

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:23-cv-00117-MR-WCM**

KAREN KLYMAN,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
BUNCOMBE COUNTY DEPARTMENT)	
OF HEALTH AND HUMAN SERVICES,)	
et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on the Plaintiff's "Response" to the Court's Order of May 11, 2023. [Doc. 4].

On May 11, 2023, the Court entered an Order denying without prejudice the Plaintiff's Application to proceed without the prepaying the costs associated with prosecuting the matter. [Doc. 3]. The Court directed the Plaintiff to refile her application using the "long form" version (AO 239), and the Clerk provided the Plaintiff with a copy of that form to submit. [Id.].

In her "Response," the Plaintiff objects to the Court's directive requiring her to refile her Application using the AO 239 form. Construing the Plaintiff's pleading as a motion for reconsideration, the Court overrules the Plaintiff's objections and denies her request for reconsideration.

The Court notes that Plaintiff filed a six-page argument as to why the long-form IFP application (AO239) is not needed. In the time spent preparing such argument Plaintiff could have filled out the AO239 many times over. That form has been promulgated by the Administrative Office of the United States Court for the standardized and efficient analysis of IFP requests in District Courts. As such, this Court uses the form universally, and applicants universally (with very few exceptions) have no trouble filling it out. Plaintiff provides no explanation for her resistance to following this Court's simple and standard practice. The Court, however, will give the Plaintiff another opportunity.

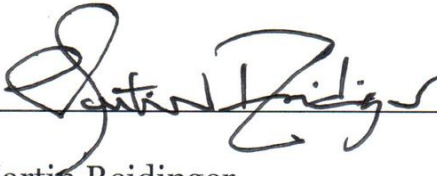
The Plaintiff shall have seven (7) days to file an Amended Application in accordance with the Court's prior Order. Failure to do so will result in the dismissal of this action without prejudice.

IT IS, THEREFORE, ORDERED that Plaintiff's filing [Doc. 4], which the Court construes as a Motion for Reconsideration, is **Denied**. The Plaintiff shall file an Amended Application, using AO Form 239, within seven (7) days of entry of this Order. **Failure to file an Amended Application within the time required will result in the dismissal of this action without prejudice.**

The Clerk is respectfully directed to provide a copy of the Application to Proceed in District Court without Prepaying Fees or Costs (Long Form) (AO 239) to the Plaintiff along with this Order.

IT IS SO ORDERED.

Signed: June 12, 2023

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
Chief United States District Judge

